

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

4/22/2019 12:27 pm

U.S. DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
LONG ISLAND OFFICE

USA,

Plaintiff,

v.

WALTER J. BARONOWSKI, III

Defendant.

Docket 16-cr-00098-JFB-1

United States Courthouse
Central Islip, New York

March 20, 2019

1:47:26 pm - 2:07:39 pm

TRANSCRIPT FOR CRIMINAL CAUSE
- GUILTY PLEA -
BEFORE THE HONORABLE GARY R. BROWN
UNITED STATES MAGISTRATE-JUDGE

A P P E A R A N C E S :

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(Proceedings recorded by electronic sound recording)

1 COURTROOM DEPUTY: Calling case criminal 2016-98, USA
2 v. Walter Baronowski. Counsel, please state your appearance for
3 the record.

4 MR. CAFFARONE: Chris Caffarone, for the United
5 States. Good afternoon, Your Honor.

6 THE COURT: Good afternoon, Mr. Caffarone.

7 MS. SHAPIRO: Good afternoon, Your Honor. Apologies.
8 It's Michelle Shapiro from Arent Fox, on behalf of Defendant,
9 Walter Baronowski, who's seated to my right. With me is my
10 colleague, Melissa Trenk, who is an attorney in my office, whose
11 application is pending for the Eastern District. She's here
12 today to observe, with your permission.

13 THE COURT: I'm doing attorney admissions. Maybe
14 she'll be part of that. Delightful to see all of you. Have a
15 seat. All right. Mr. Caffarone, we're doing what today?

16 MR. CAFFARONE: Your Honor, we're here to waive
17 indictment and plead guilty to a superseding information.

18 THE COURT: Okay. Let me do that one piece at a time.
19 So, Mr. Baronowski have you had enough time to talk to your
20 attorney? Do you understand the things we're going to try to do
21 today?

22 MR. BARONOWSKI: Yes, Your Honor.

23 THE COURT: All right. Pull that mic nice and close,
24 because that's how we're going to make a record. All right.
25 Understand that at least some of the things we're doing today,

1 such as a guilty plea, you have the right to have that done in
2 front the district judge. He's very busy. He's not available
3 today. He's asked me to cover it. I know you signed something,
4 but is that okay with you? And do you understand that?

5 MR. BARONOWSKI: Yes, Your Honor.

6 THE COURT: All right. Very good. I will enter the
7 order then, the referral order. In terms of the waiver of
8 indictment, do I need to do a full arraignment? What are we
9 going to do on that?

10 MR. CAFFARONE: Your Honor, I think he has to get
11 arraigned on the information because he was not charged --

12 THE COURT: So, he has to say not guilty, and then you
13 want him to say guilty --

14 MR. CAFFARONE: Guilty. Yes, please.

15 THE COURT: All right. So, sir, understand what's
16 happening. You've been indicted on different charges. What's
17 being proposed is the Government wants to file this superseding
18 information. By law, technically speaking, they need to go to a
19 grand jury. And present this. Now the grand jury might find
20 that this charge, which charges making a false statement is
21 good, and then they would vote an indictment, or they might not,
22 but by agreeing in the agreement that you signed to waive that,
23 we're not going to go to a grand jury. We're just going to
24 proceed as though this is a charge. Do you understand that?

25 MR. BARONOWSKI: Yes, Your Honor.

1 THE COURT: Okay. And you're okay with that procedure
2 as well. Yes?

3 MR. BARONOWSKI: Yes, Your Honor.

4 THE COURT: Very good. All right. And just so you
5 understand the information, we're waiving public reading,
6 counsel, yes?

7 MS. SHAPIRO: Yes, Your Honor.

8 THE COURT: Okay. Good. It charges, making a false
9 statement to an FBI special agent and a postal inspector
10 regarding some alleged life insurance issue. You understand all
11 that?

12 MR. BARONOWSKI: Yes, Your Honor.

13 THE COURT: All right. Very good. All right. So,
14 he's been arraigned on that, and we will proceed with the plea.
15 So, sir, the way this works is I will hear your plea, and then
16 I'll make a recommendation to Judge Bianco, who's the assigned
17 district judge, as to whether or not he'll accept it. Do you
18 understand?

19 MR. BARONOWSKI: Yes, Your Honor.

20 THE COURT: Very good. So, before recommending to
21 Judge Bianco that he consider your plea, there are some
22 questions I have to ask you to assure myself that it is a valid
23 plea. If you do not understand any of my questions, please say
24 so, and I will reword or rephrase the question for you. Okay?

25 MR. BARONOWSKI: Yes, Your Honor.

1 THE COURT: I'm going to ask you to stand up for one
2 moment now, and my clerk is going to swear you in.

3 THE CLERK: Please raise your right hand. You do
4 solemnly swear that the answers you give during the plea
5 conference will be the truth, the whole truth, and nothing but
6 the truth, so help you God?

7 MR. BARONOWSKI: Yes, I do.

8 THE CLERK: Okay. Please be seated.

9 THE COURT: All right. Mr. Baronowski, do you
10 understand that having been sworn, the answers you give to my
11 questions this afternoon will be subject to the penalties of
12 perjury, or of a crime we call making a false statement if you
13 do not answer truthfully. Do you understand?

14 MR. BARONOWSKI: Yes, Your Honor.

15 THE COURT: How old are you?

16 MR. BARONOWSKI: 34.

17 THE COURT: All right. Are you a citizen of the U.S.?

18 MR. BARONOWSKI: Yes, Your Honor.

19 THE COURT: Okay. How far did you go in school?

20 MR. BARONOWSKI: Graduate degree, Your Honor.

21 THE COURT: In what?

22 MR. BARONOWSKI: Global finance.

23 THE COURT: All right. Are you presently, or have you
24 recently been under the care of a physician or a psychiatrist?

25 MR. BARONOWSKI: Yes, Your Honor.

1 THE COURT: For what?

2 MR. BARONOWSKI: Anxiety.

3 THE COURT: Okay. Are you on any medical as a result?

4 MR. BARONOWSKI: Yes, Your Honor.

5 THE COURT: What medication or medications are you on?

6 MR. BARONOWSKI: Lexapro and Xanax.

7 THE COURT: Okay. I have some familiarity with those,
8 limited, but the important thing is, does it affect your ability
9 to understand what's going on here today?

10 MR. BARONOWSKI: No, it does not, Your Honor.

11 THE COURT: Is your mind clear?

12 MR. BARONOWSKI: Yes, it is, Your Honor.

13 THE COURT: All right. Good. Other than what you've
14 told me about, those medications that are prescribed, in the
15 past 24 hours, have you taken any narcotics, drugs, medicine, or
16 pills, or had any alcoholic beverages other than those two?

17 MR. BARONOWSKI: An Advil, that's about it.

18 THE COURT: Okay. Have you ever been hospitalized or
19 treated for a narcotics addiction?

20 MR. BARONOWSKI: No, Your Honor.

21 THE COURT: All right. And you've already told me
22 your mind clear today?

23 MR. BARONOWSKI: Yes, Your Honor.

24 THE COURT: And you understand what's going on here.
25 Yes?

1 MR. BARONOWSKI: Yes, Your Honor.

2 THE COURT: Good. Defense counsel, let me ask you.
3 Have you discussed this matter with your client?

4 MS. SHAPIRO: I have, Your Honor.

5 THE COURT: Does he understand the rights he'd waiving
6 by entering a guilty plea?

7 MS. SHAPIRO: I believe he does, Your Honor.

8 THE COURT: All right. Is he capable of understanding
9 the nature of these proceedings?

10 MS. SHAPIRO: I believe he is.

11 THE COURT: He has a degree in global finance, I would
12 think so, but it's important that you tell me that. Do you have
13 any doubt as to his competency to plead guilty at this time?

14 MS. SHAPIRO: No, Your Honor.

15 THE COURT: Okay. Good. Back to you, sir. You have
16 the right to plead not-guilty, and to the extent you've entered
17 a not-guilty plea, you can stand by that not-guilty plea. Do
18 you understand?

19 MR. BARONOWSKI: Yes, I do, Your Honor.

20 THE COURT: If you plead not-guilty, or if you stand
21 by a not-guilty plea, under the constitution and laws of the
22 United States, you're entitled to a speedy and public trial by
23 jury, with the assistance of counsel on the charges. Do you
24 understand?

25 MR. BARONOWSKI: Yes, I am, Your Honor.

1 THE COURT: Counsel, are you retained or appointed?

2 MS. SHAPIRO: Retained.

3 THE COURT: Okay. You're paying attorney, but if for
4 some reason you didn't have sufficient funds to have an
5 attorney, an attorney would be provided for you by the court.
6 Do you understand that as well?

7 MR. BARONOWSKI: Yes, I do, Your Honor.

8 THE COURT: All right. At the trial, you would be
9 presumed to be innocent and the Government would have to
10 overcome that presumption and prove you guilty by competent
11 evidence and beyond a reasonable doubt, and you would not have
12 to prove that you are innocent. And if the Government failed,
13 the jury would have the duty to find you not guilty. Do you
14 understand?

15 MR. BARONOWSKI: Yes, I do, Your Honor.

16 THE COURT: In the course of the trial, witnesses for
17 the Government would have to come to court and testify in your
18 presence. And your counsel would have the right to cross
19 examine the witnesses for the Government, object to the evidence
20 offered by the Government, and to offer evidence on your behalf.
21 Do you understand?

22 MR. BARONOWSKI: Yes, I do, Your Honor.

23 THE COURT: If there were witnesses, who could help
24 you that were reluctant to come to court or documents that you
25 needed for your case, your attorney could also get orders and

1 subpoenas to compel individuals to either come to court or give
2 you those documents so you could defend yourself. Do you
3 understand that?

4 MR. BARONOWSKI: Yes, I do, Your Honor.

5 THE COURT: All right. At the trial, you would have
6 the right to testify if you chose to do so, but you would not be
7 required to testify. Under the Constitution of the United
8 States, you cannot be compelled to incriminate yourself. If you
9 decided not to testify, the Court would instruct a jury that
10 they could not hold that against you. Do you understand?

11 MR. BARONOWSKI: Yes, I do, Your Honor.

12 THE COURT: If you plead guilty and I recommend
13 acceptance of that plea, and that plea is accepted, you will be
14 giving up all your constitutional rights to a trial, and the
15 other rights I've just discussed. There will be no further
16 trial, and the other rights I just outlined. There would be no
17 further trial of any kind, and no right to appeal or
18 collaterally attack at any time the question of whether you're
19 guilty or not. A judgment of guilty will be entered on the
20 basis of your guilty plea, and that judgment can never be
21 challenged. Do you understand?

22 MR. BARONOWSKI: Yes, I do, Your Honor.

23 THE COURT: All right. You may, and I emphasize may,
24 have the right to appeal with respect to sentence, but not with
25 respect to question of guilt or innocence. Do you understand?

1 MR. BARONOWSKI: Yes, I do, Your Honor.

2 THE COURT: All right. If you plead guilty, I will
3 have to ask you questions about what you did in order to satisfy
4 myself that you are guilty of the charge or charges to which you
5 seek to plead guilty, and you'll have to answer my questions and
6 acknowledge your guilt. Thus, you will be giving up your right
7 not to incriminate yourself. Do you understand?

8 MR. BARONOWSKI: Yes, I do, Your Honor.

9 THE COURT: Are you willing to give up your right to a
10 trial and the other rights that I just outlined?

11 MR. BARONOWSKI: Yes, I do.

12 THE COURT: All right. There's, what I'll refer to
13 as, a plea agreement. Have you read this document?

14 MR. BARONOWSKI: Yes, I did, Your Honor.

15 THE COURT: And did you discuss it with your attorney?

16 MR. BARONOWSKI: Yes, I did, Your Honor.

17 THE COURT: All right. I'm going to ask the
18 prosecutor to summarize the important parts for you, so, please
19 pay attention to this.

20 MR. CAFFARONE: Yes, Your Honor, the important parts
21 of the agreement are that the defendant is agreeing to plead
22 guilty. In exchange, the Government agrees that it will
23 recommend a term of probation, one-year probation. It won't
24 recommend any fines or restitution. In addition, the Government
25 will dismiss the underlying indictment with prejudice, and

1 that's sort of the core of the agreement. There are obviously
2 some other items in there as well. Statutory penalties are a
3 five-year maximum, no minimum. But that's the crux of the
4 agreement.

5 THE COURT: There's no appellate waiver?

6 MR. CAFFARONE: There's no appellate waiver, Your
7 Honor.

8 THE COURT: All right. I'm going to ask the
9 prosecutor to do one other thing. We talk about what we call
10 the elements of a crime, which is the basic things that the
11 Government has to prove to establish your guilt at trial. Okay?
12 We're going to talk about the charge that we're talking about
13 today, which is the one contained in the superseding
14 information. I'm going to ask the prosecutor to summarize the
15 elements, what they would have to prove to establish your guilt.

16 MR. CAFFARONE: Yes, Your Honor. The Government would
17 have to prove that the defendant made the statement charged in
18 the information. That he did so knowingly and willingly. That
19 the statement was materially false, fictitious or fraudulent.
20 That it was made in connection with or in the manner within the
21 executive branch. In this case, it's the FBI, and the United
22 States Postal Inspection Service. Those are the elements we'd
23 have to prove beyond a reasonable doubt.

24 We'd also have to prove that it was done on or about
25 the date and that by a preponderance, we'd have to prove venue,

1 that it occurred in this district. The meeting actually
2 occurred in this building in the U.S. Attorney's Office.

3 THE COURT: Which is in this district.

4 MR. CAFFARONE: It is in this district, yes.

5 THE COURT: Okay. I just want to double-check. All
6 right. Good. So, sir, you understand that those are the basic
7 elements. That's what the Government would have to prove to
8 establish your guilt?

9 MR. BARONOWSKI: Yes, I do, Your Honor.

10 THE COURT: All right. And I imagine that you've
11 discussed this matter with your attorney, and you feel
12 comfortable that you understand the nature of the charge?

13 MR. BARONOWSKI: I do, Your Honor

14 THE COURT: I just want to review very quickly with
15 you, because the prosecutor said something very important. He
16 said they'd make a recommendation about certain sentencing
17 aspects, but you have to understand what the penalties are.
18 Once you say you take the guilty plea, the maximum term of
19 imprisonment here is five years. You understand?

20 MR. BARONOWSKI: I do, Your Honor.

21 THE COURT: There's no minimum term. But then there's
22 something called supervised release, which is three years to
23 follow any term of imprisonment. And if you violate a condition
24 of supervised release, you would be sentenced for one year
25 without credit. Do you understand that?

1 MR. BARONOWSKI: I do, Your Honor.

2 THE COURT: Do you know what supervised release is?

3 MR. BARONOWSKI: Generally speaking, I'm assuming it's
4 some kind of home confinement or in touch with some sort of
5 supervisor, I'm not very familiar.

6 THE COURT: Pretty close. It's like what we used to
7 call probation or parole. It means you're out on your own,
8 you've finished whatever sentence that has to be served, but
9 you're still under the jurisdiction of the court. And if you
10 violate certain rules, you can go back to jail. In this case
11 for as much as a year because you've committed a new crime, or
12 you didn't follow the rules. Do you understand?

13 MR. BARONOWSKI: I do, Your Honor.

14 THE COURT: All right. There's a maximum fine of up
15 to \$250,000. Do you understand that?

16 MR. BARONOWSKI: I do, Your Honor.

17 THE COURT: Restitution is NA?

18 MR. CAFFARONE: That's correct, Your Honor. The lies
19 were made to the FBI. They weren't made to the victims.
20 Defense counsel and I had spoken at length, and done some
21 research on our own as well, and concluded that restitution was
22 not applicable. We've actually talked to the Government, and
23 the FBI agent actually spoke to the victims of the underlying
24 case and brought that to their attention. They completely agree
25 with the disposition and forego any restitution that they may

1 have been entitled to.

2 THE COURT: All right. The Government believes
3 there's no restitution. I'm a little surprised by that. What
4 was the amount that issued in the underlying scheme?

5 MR. CAFFARONE: I think it was over a million dollars
6 for a couple of different insurance companies. But when we
7 looked at the 1001, there is actually a case, I think I found it
8 in the District of New Jersey, and I think defense counsel found
9 one. We had shared different research and came to the
10 conclusion that depending on who the lie is made to, there may
11 be restitution that attaches to 1001, but it usually has to be
12 inferred. What we saw was a lie on an application to get a
13 loan.

14 THE COURT: Okay. I'm good.

15 MR. CAFFARONE: Okay.

16 THE COURT: I just want to say to the defendant, just
17 pay attention to me for a second here.

18 MR. BARONOWSKI: I'm sorry, Your Honor.

19 THE COURT: That's okay. Here's the thing, Government
20 counsel and your attorney, both of them are very qualified.
21 They know this stuff. They know it better than I do. They're
22 saying no restitution. I'm going to disagree. I'm going to say
23 there's a possibility. You should just be aware. There's a
24 possibility the judge might say, he's on the hook for
25 restitution, and he could order you to pay \$1 million. Do you

1 understand?

2 MR. BARONOWSKI: I do understand, Your Honor.

3 THE COURT: Okay. It's a risk. Okay? I would like
4 to accept counsel at their word, and say they were absolutely
5 right, but when they cite the District of New Jersey to me, I
6 think twice. It might not be binding precedent. There could be
7 a different decision here. Do you understand?

8 MR. BARONOWSKI: Yes, Your Honor.

9 THE COURT: Okay. And there's a \$100 special
10 assessment that you must pay. Do you understand that?

11 MR. BARONOWSKI: I do understand that.

12 THE COURT: All right. Have you discussed with your
13 attorney the sentencing guidelines and the other sentencing
14 factors that the judge must consider in crafting a sentence?

15 MR. BARONOWSKI: Yes, I did, Your Honor.

16 THE COURT: Good. Then you should know that the
17 sentencing guidelines are not mandatory, but that in sentencing,
18 the Court is required to consider the applicable guidelines
19 range, along with the certain statutory factors listed in
20 something we call 18 U.S.C. 3553(a). And what that means is the
21 Court will consider the nature and circumstances of your
22 offense, your criminal history, if any, and your personal
23 characteristics in thinking about a sentence. Do you
24 understand?

25 MR. BARONOWSKI: Yes, I do, Your Honor.

1 THE COURT: And what that means is there's only one
2 guarantee. Right? We can make representations and promises and
3 what-not, but there's one guarantee, and that's a five-year
4 maximum as to the statute. Do you understand?

5 MR. BARONOWSKI: Yes, Your Honor.

6 THE COURT: That's the only guarantee. You got it?

7 MR. BARONOWSKI: Yes, Your Honor.

8 THE COURT: Good. In formulating a sentence, the
9 district court will consider other factors, including the
10 seriousness of the offense, just punishment, protection of the
11 public from additional criminal conduct by you or by others, and
12 in certain cases, if cooperation becomes an issue, your
13 cooperation if the Government submits certain forms and motions.
14 Do you understand all of that?

15 MR. BARONOWSKI: Yes, Your Honor.

16 THE COURT: Do you realize, sir, that -- do you need a
17 moment? It's okay.

18 MS. SHAPIRO: Do you want to just repeat that last
19 question, Your Honor, please?

20 THE COURT: Yes. In formulating a sentence, there are
21 other things that the Court must consider, the seriousness of
22 the offense, just punishment, protection of the public from
23 additional criminal conduct by you or by others, and where
24 appropriate, your cooperation if the Government submits a
25 certain motion.

1 MR. BARONOWSKI: Yes, Your Honor, I understand.

2 THE COURT: You understand? Yes? Okay. If the
3 sentence is more severe than you expected, you will not be able
4 to withdraw your guilty plea. Do you understand that?

5 MR. BARONOWSKI: Yes, Your Honor.

6 THE COURT: Okay. Understand it's your lawyer's job
7 to give you an estimate. She's experienced; she's going to tell
8 you, based on my experience, I think this is going to happen.
9 That's her job. But an estimate and a promise are two very
10 different things. You understand?

11 MR. BARONOWSKI: I do.

12 THE COURT: All right. Good. Do you have any
13 questions you'd like to ask me about the charges, your rights,
14 or anything else related to this matter?

15 MR. BARONOWSKI: No, I do not at this time, Your
16 Honor.

17 THE COURT: Good. Are you ready to proceed?

18 MR. BARONOWSKI: Yes, Your Honor.

19 THE COURT: All right. I'm going to ask your attorney
20 one more question. Do you know of any legal reason why the
21 defendant should not plead guilty?

22 MS. SHAPIRO: I do not, Your Honor.

23 THE COURT: Okay. And, sir, back to you. Are you
24 satisfied with your legal representation up to this point?

25 MR. BARONOWSKI: Yes, Your Honor.

1 THE COURT: Do you think your lawyer did a good job?

2 MR. BARONOWSKI: Yes, Your Honor.

3 THE COURT: I'm glad to hear it. I'm not surprised to
4 hear it, but I'm glad to hear it. All right. So, in that case,
5 what is your plea to the sole count of the superseding
6 information, guilty or not-guilty?

7 MR. BARONOWSKI: Guilty, Your Honor.

8 THE COURT: Are you making this plea of guilty
9 voluntarily and of your own freewill?

10 MR. BARONOWSKI: Yes, I am, Your Honor.

11 THE COURT: Has anyone threatened you or forced you to
12 plead guilty?

13 MR. BARONOWSKI: No, Your Honor.

14 THE COURT: Other than the agreement which is
15 contained in that document we discussed with the Government, has
16 anyone made any promises that have caused you to plead guilty?

17 MR. BARONOWSKI: No, Your Honor.

18 THE COURT: Has anyone made you a promise as to what
19 your sentence will be?

20 MR. BARONOWSKI: No, Your Honor.

21 THE COURT: Good. Because nobody can. All right. In
22 that case, please describe in your own words what you did in
23 connection with the charge to which you're pleading guilty.

24 MS. SHAPIRO: Your Honor, if it's okay with you, Mr.
25 Baronowski would like to read a prepared statement.

1 THE COURT: I would be delighted to hear that.

2 MR. BARONOWSKI: Thank you, Your Honor. On May 8 and
3 May 14, 2018, I was interviewed by Agents of the Federal Bureau
4 of Investigation and the U.S. Postal Inspection Service pursuant
5 to a proffer agreement with the U.S. Attorney's Office, for the
6 Eastern District of New York.

7 During the second day of my interview, I was asked how
8 the commission worked on a particular life insurance policy
9 issued to a client of an insurance agent for whom I had
10 previously worked. In response I told the Government that I was
11 not sure, but that I heard that the insurance company offered a
12 bonus on that policy up to 134 percent of the annual premium.
13 In truth, at the time of the interview, I was also aware of an
14 illegal rebating scheme whereby the insurance agent secretly
15 shared his commission payment on the policy with a client.
16 Despite knowing about the illegal rebating scheme when I
17 answered the Government's question, I chose not to disclose it.
18 I deeply regret this bad decision. Thank you, Your Honor.

19 THE COURT: No problem. Now, you read a statement.
20 just to make sure, those are your words and those are true.
21 Correct?

22 MR. BARONOWSKI: Yes, Your Honor.

23 THE COURT: All right. Is the prosecutor requesting
24 him to add anything to that allocution?

25 MR. CAFFARONE: Actually, I think he may have said it,

1 but I might have missed it. That the proffer occurred here in
2 this building, within this district.

3 THE COURT: Is that right?

4 MR. BARONOWSKI: Yes, Your Honor.

5 THE COURT: It's a big white building. You'll
6 remember.

7 MR. BARONOWSKI: Yes, Your Honor, we were here.

8 THE COURT: All right, good. Anything else?

9 MR. CAFFARONE: No, Your Honor.

10 THE COURT: Anything counsel would like him to add?

11 MS. SHAPIRO: No, Your Honor.

12 THE COURT: All right. In that case, I'm going to ask
13 the prosecutor to outline the proof the Government would have
14 offered had the matter gone to trial.

15 MR. CAFFARONE: Yes, Your Honor. The Government would
16 have called the special agent with the FBI and the United States
17 Postal Inspector, who would have testified that on May 14, 2018,
18 the defendant, along with his attorneys, met with the Government
19 in connection with it's investigation and during that interview,
20 the defendant made the false statement that he had just
21 testified to. We would also put on witnesses that would have
22 also confirmed that statement to be false because there was an
23 illegal rebating scheme. And so, we would have called the
24 witnesses to establish all of the necessary elements of the
25 offense.

1 THE COURT: All right. Very good. Anything else the
2 Government would like to add?

3 MR. CAFFARONE: No, Your Honor.

4 THE COURT: Anything else from defendant?

5 MR. BARONOWSKI: No, Your Honor.

6 THE COURT: All right. Based on the information given
7 to me, I find that the defendant is acting voluntarily. He
8 fully understands his rights and the consequences of the plea,
9 and that there is a factual basis for the plea. I therefore
10 recommend acceptance of the plea of guilty to the sole count of
11 the superseding information.

12 That's it. Do we have a sentencing date?

13 MR. CAFFARONE: We do. It's July 10.

14 THE COURT: Okay. Go ahead.

15 MS. SHAPIRO: I was going to add, Your Honor, that we
16 do intend to send Judge Bianco a letter requesting a sooner
17 date. So, we're set that as a tentative date. We'd like to ask
18 him to do it more quickly and potentially to also waive the PSR
19 requirements that Baronowski has prepared. But we understand.
20 We will take that up with Judge Bianco.

21 THE COURT: I'm a big fan of not delaying things, so
22 absolutely. But let me say to the defendant, just understand,
23 we're talking about July 10, it may be sooner, but keep in touch
24 with your attorney. There's a lot to be done between then and
25 now. There may be different reports, and you have to share

1 information. Just make sure you keep in touch and show up when
2 you're supposed to show up. Okay?

3 MR. BARONOWSKI: Yes, Your Honor. I thank you very
4 much.

5 THE COURT: Good luck to you.

6 MR. CAFFARONE: Thank you, Judge.

7 THE COURT: We're adjourned. Thank you.

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CERTIFICATION

I, Rochelle V. Grant, certify that the foregoing is a correct transcript from the official electronic sound recording of the proceedings in the above-entitled matter.

Dated: April 20, 2019



Rochelle V. Grant